

Department of Insurance
RH 04038570
Workers' Compensation Claims Adjuster Training

SUMMARY OF NOTICE PROCEDURES FOLLOWED AND CONFIRMATION

The following is a summary of the proceedings in this rulemaking:

A Notice of Proposed Action and Notice of Public Hearing was issued on July 29, 2004 and noticed in the California Regulatory Notice Register on August 13, 2004 for a public hearing scheduled for September 29, 2004. Subsequently, a Notice of Postponement of Hearing was issued on August 23, 2004 and noticed in the California Regulatory Notice Register on September 3, 2004 postponing the September 29, 2004 hearing and rescheduling the public hearing for October 28, 2004. The amended Notice of Proposed Action and Notice of Public Hearing was mailed on August 30, 2004.

More than 45 days following the amended Notice of Proposed Action and Notice of Public Hearing, a public hearing was conducted in the commissioner's offices in San Francisco on October 28, 2004 wherein the Insurance commissioner received testimony regarding these regulations. Written comment was received through October 28, 2004.

Following the public hearing of October 28, 2004, a Notice of Availability of Revised Text with the revised text of the regulation was issued on March 4, 2005 and mailed on March 8, 2004. The period for written comment was open through March 21, 2004, which resulted in inadequate time for receipt of written public comment.

The Rule Making File along with a Final Statement of Reasons was submitted to the Office of Administrative Law on June 24, 2005. Subsequently the regulations were disapproved by the Office of Administrative Law by Notice dated August 8, 2005 and a written Decision of Disapproval of Regulatory Action on August 12, 2005.

Notice of Availability of Revised Text and a copy of the revised text of the regulations were issued and mailed on September 1, 2005. Contained in this Notice was a statement notifying the public that the prior Notice of Availability of Revised Text dated March 4, 2005 was ineffective as a result of an inadequate period of time for comment. As a result, all comments previously submitted were incorporated into the record and additional comments were invited towards this revised text. The comment period continued through September 16, 2005, the required 15 day period. The Insurance Commissioner complied with the requirements of Title 1, California Code of Regulations, Section 44 with respect to the September 1, 2005 notice.

A Second Notice of Availability of Revised Text and copy of the revised text of the regulations were issued and mailed October 4, 2005. The comment period continued through October 19, 2005, the required 15 day period. The Insurance Commissioner complied with the requirements of Title 1, California Code of Regulations, Section 44 with respect to the October 4, 2005 notice.